**THE HON'BLE Dr. JUSTICE G. YETHIRAJULU**

**W.P.No.18189 of 1994**

**Dated this the 17th day of November, 2005**

Between:

Mohd. Abdul Mansur, 36 years,

S/o. Hasan Saheb, employee,

R/o. Kothakalva, Narayanareddypet,

Nellore. … **Petitioner**

and

The Assistant General Manager (Accounts),

A.P. State Agro Industries Development

Corporation Limited, A.C. Guards,

Hyderabad – 4. … **Respondent**

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**ORDER**:

The petitioner approached this Court through this writ petition seeking to declare that the action of the respondent in proceeding with the domestic enquiry during the pendency of the C.C.No.67 of 1994 on the file of the Judicial First Class Magistrate, Kovvur, West Godavari District, is illegal and arbitrary and consequently to direct the respondent not to proceed with the enquiry till the disposal of the C.C.No.67 of 1994.

The learned counsel for the respondent represented that the criminal case covered

by C.C.No.67 of 1994 was disposed of on 06-09-1999 finding the petitioner not guilty of the charge by giving the benefit of doubt. The learned counsel for the respondent also submitted that on a representation made by the petitioner on 19-12-1995 pleading the guilt of the misconduct, he was reinstated with effect from 01-04-1997 and the recovery of the amount due to the Government was directed to be recovered in 127 instalments at the rate of Rs.500/- per month and recovery was also effected to an extent of Rs.54,000/- till now.

In the light of the representation made by the learned counsel for the respondent and in view of the dismissal of the C.C.No.67 of 1994, the cause of action does not survive. Hence, the writ petition became infructuous.

The writ petition is, accordingly, dismissed as having become ‘infructuous’. No order as to costs.

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**Dr.G. YETHIRAJULU, J**

Date: 17-11-2005

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